

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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United States of America,

Case No. 20-cr-14 (WMW/TNL)

Plaintiff,

v.

**ORDER**

Lisa Anne Labar,

Defendant.

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This matter comes before the Court on Defendant Lisa Anne Labar's Motion for Continuance of Motion Hearing. ECF No. 51. Defendant also filed a Statement of Facts in Support of Exclusion of Time Under the Speedy Trial Act ("Statement of Facts"), ECF No. 52, and a Speedy Trial Waiver, ECF No. 53.

Defendant requests a 30-day extension of the April 24, 2023 motions hearing. ECF No. 51 at 1-2. She states that the parties "are currently engaged in negotiations to resolve this matter short of a trial," and "[t]he government has recently provided a written plea agreement that it has indicated it will withdraw if [she] proceeds with the motions hearing." *Id.* at 1. Defendant states she "is giving serious consideration to the plea agreement terms, but would like more time to consult with counsel and her family before making her decision." *Id.* Defendant also notes that her counsel has had limited opportunities to meet with her to discuss the plea terms and the motions hearing due to other proceedings and a family medical emergency. *Id.* In her Statement of Facts, Defendant requests that this period of time be excluded from computation under the Speedy Trial Act. ECF No. 52; *see*

*also* ECF No. 51 at 2. The Government has no objection to Defendant's request. ECF No. 51 at 2.

Pursuant to 18 U.S.C. § 3161(h), this Court finds that the ends of justice served by granting a continuance outweigh the best interests of the public and Defendant in a speedy trial and such continuance is necessary to provide the parties reasonable time necessary for effective preparation and to make efficient use of the parties' resources.

Based on all the files, records, and proceedings herein, **IT IS HEREBY ORDERED** that:

1. Defendant's Motion for Continuance of Motion Hearing, ECF No. 51, is **GRANTED**.

2. The period of time from **April 18 through May 25, 2023**, shall be excluded from Speedy Trial Act computations in this case.

3. A motions hearing will be held pursuant to Federal Rules of Criminal Procedure 12(c) where:

- a. The government makes timely disclosures and Defendant identifies in the motions particularized matters for which an evidentiary hearing is necessary; or
- b. Oral argument is requested by either party in its motion, objection or response pleadings.

4. If required, the motions hearing must be heard before Magistrate Judge Tony N. Leung on **May 25, 2023**, at **9:00 a.m.**, in **Courtroom 9W**, Diana E. Murphy United States Courthouse, 300 South Fourth Street, **MINNEAPOLIS**, Minnesota. D. Minn. LR 12.1(d).

5. **TRIAL:**

a. **IF NO PRETRIAL MOTIONS ARE FILED BY DEFENDANT, the following trial and trial-related dates are:**

All motions in limine and proposed voir dire and jury instructions are due in District Judge Wilhelmina Wright's chambers at least 21 days before trial begins. Counsel are advised that a pretrial notice will issue that will include additional deadlines.

District Judge Wright will hold a pretrial conference on *a date and time to be determined* in Courtroom 7A, Warren E. Burger Federal Building and U.S. Courthouse, 316 North Robert Street, **SAINT PAUL**, Minnesota.

This case must commence trial on *a date and time to be determined* before District Judge Wright in Courtroom 7A, Warren E. Burger Federal Building and U.S. Courthouse, 316 North Robert Street, **SAINT PAUL**, Minnesota.

b. **IF PRETRIAL MOTIONS ARE FILED, the trial date, and other related dates, will be rescheduled following the ruling on pretrial motions. Counsel must contact the Courtroom Deputy for District Judge Wright to confirm the new trial date.**

Dated: April 19, 2023

s/ Tony N. Leung  
TONY N. LEUNG  
United States Magistrate Judge

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